

1 JOSEPH P. RUSSONIELLO (CSBN 44332)
2 United States Attorney

3 BRIAN J. STRETCH (CSBN 163973)
4 Chief, Criminal Division

5 SUSAN KNIGHT (CSBN 209013)
6 Assistant United States Attorney

7 150 Almaden Blvd., Suite 900
8 San Jose, California 95113
9 Telephone: (408) 535-5056
10 FAX: (408) 535-5066
11 Susan.Knight@usdoj.gov

12 Attorneys for Plaintiff

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN JOSE DIVISION

16 UNITED STATES OF AMERICA,) No. CR 08-00472 JF
17 Plaintiff,)
18 v.) STIPULATION AND [PROPOSED]
19 YONG YI OU,) ORDER CONTINUING STATUS
20 Defendant.) HEARING AND EXCLUDING TIME
21) UNDER THE SPEEDY TRIAL ACT
22) SAN JOSE VENUE

23 The undersigned parties respectfully request that the status hearing scheduled for March 11,
24 2009 be continued to April 15, 2009. The reason for the continuance is that the parties are
25 examining the loss amount in the case, and need additional time to reach an agreement.
26 Therefore, the parties are requesting a continuance to April 15, 2009. In addition, the parties
27 agree and stipulate that a waiver of time under the Speedy Trial Act from March 11, 2009 to
28 April 15, 2009 is appropriate. The parties agree and stipulate that an exclusion of time is
appropriate based on the defendant's need for effective preparation of counsel.

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1 SO STIPULATED:

JOSEPH P. RUSSONIELLO
United States Attorney

3 DATED: 3/10/09

/s/
4 SUSAN KNIGHT
Assistant United States Attorney

5 DATED: 3/10/09

/s/
6 NICHOLAS P. HUMY
Counsel for Ms. OU

8 Accordingly, the Court HEREBY ORDERS that the status hearing is continued to April 15,
9 2009 at 9:00 a.m.

10 For good cause shown, the Court FURTHER ORDERS that time be excluded under the
11 Speedy Trial Act from March 11, 2009 to April 15, 2009. The Court finds, based on the
12 aforementioned reasons, that the ends of justice served by granting the requested continuance
13 outweigh the best interest of the public and the defendant in a speedy trial. The failure to grant
14 the requested continuance would deny defense counsel reasonable time necessary for effective
15 preparation, taking into account the exercise of due diligence, and would result in a miscarriage
16 of justice. The Court therefore concludes that this exclusion of time should be made under 18
17 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

18 SO ORDERED.

19 DATED: 3/11/09



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21 JEREMY FOGEL
United States District Judge